

## **REMARKS**

### **Summary**

Claims 38-53 are pending. Claims 14-37 are cancelled and claims 38-53 are added herein. No new matter is added.

### **Objections to the Drawings**

The drawings were objected to for not showing one or more features from the claims. Applicant has amended the drawings and provided a suitable replacement sheet thus obviating the objection. Applicant thus respectfully requests reconsideration and withdrawal of the objection.

### **103(a) Rejections of Claims 14-23, 25, 26, 31-34, and 37**

Claims 14-23, 25, 26, 31-34, and 37 are rejected under 35 USC 103(a) as being unpatentable over US Patent No. 5,141,044 to Hying et al. (Hying) in view of US Patent No. 4,519,474 to Iseli et al. (Iseli). Claim 24 is rejected under 35 USC 103(a) as being unpatentable over Hying, in view of Iseli, and further in view of US Patent No. 5,399,851 to Strand (Strand). Claims 27-30 and 35 are rejected under 35 USC 103(a) as being unpatentable over Hying in view of Iseli and further in view of US Patent No. 3,292,685 to Clark (Clark). Claim 36 is rejected under 35 USC 103(a) as being unpatentable over Hying in view of Iseli and Clark and further in view of Strand. Applicant respectfully traverses the rejections in light of the new claims and the remarks below.

Claims 14-37 have been cancelled in favor of new claims 38-53. New claim 38 is the sole independent claim.

Claim 38 provides a roll-up door, comprising at least one closing element having at least a closed position; and an elastically deformable stabilizing element coupled to at least one lower edge of a closing element, said stabilizing element configured to exert a first restoring force to counteract a deformation of said stabilizing element in a direction opposite to a closing direction when each of said at least one closing element is in said closed position and to exert a second restoring force to counteract a deformation of said stabilizing element in a direction transverse to each of said at least one closing element

when each of said at least one closing element is in said closed position, said first restoring force being less than said second restoring force, and wherein the stabilizing element has at least one leaf spring having primary surfaces oriented perpendicularly to the closing direction.

None of the cited references disclose a roll-up door having an elastically deformable stabilizing element coupled to at least one lower edge of a closing element, wherein the stabilizing element has at least one leaf spring having primary surfaces oriented perpendicularly to the closing direction.

As discussed in the introductory portion of the Specification, embodiments of the invention provide a roll-up door that largely eliminates damages or injuries to objects/persons present in the entry, and provides sufficient stability of the closing element in the closed position, e.g. under wind loads. In this regard, claim 38 provides a leaf spring having its primary surfaces oriented perpendicularly to the closing direction in the stabilizing element. Such a leaf spring, oriented as specified in claim 38, provides flexibility in the closing direction to help avoid damages or injuries to objects/persons present in the entry during a closing movement of the closing element, while providing enhanced stability under loads in the direction perpendicular to the closing element to thereby avoid blowing of the door element under such forces.

By contrast, Hying proposes a roll-up door having peculiar breakaway shafts to give the roll-up door the ability to react to an impact against the curtain or bottom bar by yielding to the force without damaging parts and which may be quickly returned to an operating condition. Certain benefits provided by the current claimed invention, notably avoidance of damages or injuries to objects/persons while simultaneously providing sufficient stability, are not addressed nor provided by Hying. Further, Hying fails to provide any teaching or suggestion to use a leaf spring oriented as specified in claim 38 within a stabilizing element of a roll-up door. For these reasons Hying is incapable of rendering obvious the presently claimed invention.

This assessment remains unchanged when additionally taking into consideration the disclosure of Iseli since Iseli also fails to discuss the problems addressed by claim

38 and fails to provide any teaching or suggestion to use a perpendicularly oriented leaf spring in order to solve the above-mentioned problems.

Furthermore, Strand and Clark, individually or in combination, fail to provide any teaching or suggestion to make use of a leaf spring having its primary surfaces oriented perpendicularly to the closing direction of the closing element of a roll-up door in order to solve the problems addressed by the current application. For all the above reasons, claim 38 is patentably distinguished over the cited references.

Claims 39-53 depend directly or indirectly on claim 38, incorporating the features of claim 38, and thus are patentable over the cited references for at least the reasons discussed above.

### **Conclusion**

In view of the foregoing, Applicant respectfully submits that claims 38-53 are in condition for allowance, and early issuance of the Notice of Allowance is respectfully requested.

If the Examiner has any questions, he is invited to contact the undersigned at (503) 796-2844. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,  
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